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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,895	12/11/2003	Byong Cheol Kim	11037-152-999	2313
24341	7590	01/30/2006	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			GOODEN JR, BARRY J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/734,895	Applicant(s) KIM, BYONG CHEOL	
	Examiner Barry J. Gooden Jr.	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-11 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities:

At line 16 "said lot being" should be replaced with "said slot being".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Parker et al., US Patent 4,775,025.

In regards to claims 1-4 and 6-8, Parker et al. show a rear suspension of a vehicle, the vehicle having a vehicle body (28), the rear suspension comprising:

a carrier at which a rear wheel (14) is rotatably mounted;

a trailing arm (48) generally longitudinally aligned with respect to the vehicle body (28), the trailing arm (48) having ends respectively connected to the carrier and the vehicle body (28); and

a connecting unit connecting the vehicle body (28) and a body-side end (50) of the trailing arm (48), and varying a vertical position of the body-side end (50) according to a running state of the vehicle (Column 2, lines 59-64);

wherein the connecting unit comprises:

a bracket (28) having a slot formed along a predetermined direction having a vertical component;

a hinge pin penetrating the slot and the body-side end (50) of the trailing arm (48); and

a positioning apparatus (See Figure 9) adjusting a position of the hinge pin in the slot (See Figure

1);

wherein the slot is vertically formed (See figure 1);

Art Unit: 3616

wherein the positioning apparatus (See figure 9) comprises:

a cylinder (98) having a receiving hole for receiving a hydraulic pressure;

a piston (100) disposed in the cylinder (98) so as to form a hydraulic pressure chamber (102) in the cylinder;

an actuator (106) fixed to the piston (100) and extending exterior to the hydraulic pressure chamber (102) in an opposite side thereof; and

a linking member (48) connecting the actuator (106) and the hinge pin;

wherein the hinge pin is located at a lowest position of the slot when the vehicle is not under braking operation (Column 3, lines 42-52);

further comprising a restoring apparatus (104) for restoring a position of the piston (100) in the case that the hydraulic pressure (39) supplied to the hydraulic pressure chamber (102) is released;

wherein the restoring apparatus (104) comprises an elastic member (if the fluid (elastic member) in the chamber (104) is compressed it will apply pressure on the piston until it is expanded, this pressure is an elastic force) applying an elastic force on the piston (100) toward the receiving hole.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Yukihiro Orimoto, Japanese Publication 10-217735.

In regards to claim 1, Yukihiro Orimoto shows a rear suspension of a vehicle, the vehicle having a vehicle body (6), the rear suspension comprising:

a carrier (26) at which a rear wheel (W) is rotatably mounted;

a trailing arm (15) generally longitudinally aligned with respect to the vehicle body (6), the trailing arm (15) having ends respectively connected to the carrier (26) and the vehicle body (6); and

a connecting unit connecting the vehicle body (6) and a body-side end (35) of the trailing arm (15), and varying a vertical position of the body-side end (35) according to a running state of the vehicle (Abstract);

Art Unit: 3616

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker et al. in view of Drott, US Patent 4,890,859.

In regards to claim 5, Parker et al. clearly show all of the claimed elements excluding a cylinder being connected to a brake line of the vehicle.

Drott teaches connecting a cylinder to a brake line. (Column 5, lines 25-40)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the cylinder receiving hole of Parker et al. in view of the teachings of Drott to include being connected to a brake line so as to eliminate the need for multiple pressure sources.

Allowable Subject Matter

Claims 9-11 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not disclose a rear suspension for a vehicle body wherein a bracket slot, extending at least partly in a vertical direction, is configured to receive a pivotally mounted forward end of a suspension trailing arm, and a linking member extending between a piston rod and the bracket slot wherein the linking member is configured for pivotal connection with the forward end of the suspension trailing arm and vertically movable in the bracket slot.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3616

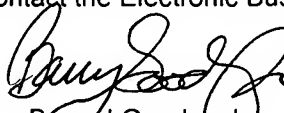
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Barry J Gooden Jr.
Examiner
Art Unit 3616

BJG

 1/23/06
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600